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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,497	03/28/2005	Gernot Herwig	SHN-121-A	9219
48980	7590	07/27/2007		
YOUNG & BASILE, P.C. 3001 WEST BIG BEAVER ROAD SUITE 624 TROY, MI 48084			EXAMINER LAFOND, RONALD D	
			ART UNIT 1709	PAPER NUMBER
			NOTIFICATION DATE 07/27/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@youngbasile.com  
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## Office Action Summary

Application No.

10/521,497

Applicant(s)

HERWIG ET AL.

Examiner

Ronald D. Lafond

Art Unit

1709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 06/03/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Preliminary Amendment of April, 25, 2005 was received and has been entered. Claims 2 and 3 have been amended from the original disclosure and contain no new matter.

### ***Specification***

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). The Examiner notes that the Drawing at issue is contained in the parent PCT Application (EP03/06398).

### ***Claim Objections***

3. Claim 3 is objected to because of the following informalities: grammatical error. The word 'to' appears to be incorrectly used in Claim 3 (the second 'to'). It appears that the Claim should read "... through a different coating booth **than** the other parts of the object ..." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 –3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handke, et al (United States Patent 4,919,967, hereafter Handke) in view of Seiler, et al (German Patent DE 41 26 890 A1, hereafter Seiler).

6. Regarding Claim 1, Handke teaches a method for coating, in particular for painting, objects, especially vehicle bodies (see Column 1, lines 12 – 15), comprising a plurality of parts, in which method the objects are guided on skids with the aid of a conveying system through at least one coating station (see Column 1, lines 6 – 9), in which at least one application device is arranged (see again Column 1, lines 12 – 15). Handke does not teach the method wherein the vehicle bodies comprise a plurality of parts which are initially separate and can subsequently be connected to one another, and characterized in that at least one part of the objects is guided through the coating booth on its own skid separately from the other parts. However, Seiler teaches just such limitations, wherein vehicle parts are separately conveyed and painted (see Abstract and Figures 1 – 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the present invention to have modified the method taught by Handke by using separate skids for a plurality of parts (i.e. panels or doors) that are later to be reassembled as taught by Seiler with a reasonable expectation of success and to achieve the benefits of this method taught by Seiler, i.e. consistent color matching between parts (because the parts are all painted from the same reservoir of common starting material) and better quality control.

7. Regarding Claim 2, Handke teaches the method characterized in that the skid on which the at least one part is carried follows the skid which carries the other parts of the objects through the same booth (see Column 1, lines 58 – 66, and Figure 1).

8. Regarding Claim 3, Seiler teaches the method characterized in that the at least one part of the object is led on its own skid through a different coating booth than the other parts of the object, the application devices in both coating booths being fed from a common paint supply means (see again Abstract and Figures 1 – 4).

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**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Lafond whose telephone number is (571) 270-1878. The examiner can normally be reached on M-F 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on (571) 272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
RDL

  
MICHAEL B. CLEVELAND  
SUPERVISORY PATENT EXAMINER